

ZB# 07-50

Donna Verdiglione

6-4-11

07-50 Donna Verdiglione (Area)
34 Knox Dr. (6-4-11)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Closed May - 08



**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: August 25, 2006

**APPLICANT: Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/24/06

FOR : Existing 10x20 ft. screen room.

LOCATED AT: 34 Knox Drive

ZONE: R-4 Sec/Blk/ Lot: 6-4-11

DESCRIPTION OF EXISTING SITE: One family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing 10x20 ft. screen room does not meet minimum set-back requirement of 50 ft.**

COPY


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4 USE: Bulk Tables			
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:			
REQ'D SIDE YD:			
REQ'D TOTAL SIDE TD:			
REQ'D REAR YD:	G-6	50'	30' 20'
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:			

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. If less an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and rough plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and para test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

AUG 24 2006

FOR OFFICE USE ONLY:
Building Permit #: 2006-900

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Donna M. Veraglione
34 Knox Drive
Address New Windsor, NY 12553 Phone # 845-565-4204
Mailing Address Same As Above Fax # N/A
Name of Architect _____
Address _____ Phone _____
Name of Contractor _____
Address _____ Phone _____
State whether applicant is owner, lessee, agent, architect, engineer or builder Owner
If applicant is a corporation, signature of duly authorized officer _____

1. On what street is property located? On the side of Knox Drive
and (N, S, E or W)
feet from the intersection of _____
2. Zone or use district in which premises are situated: _____ Is property a flood zone? Y _____ N ☒
3. Tax Map Description: Section 6 Block 4 Lot 11
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 - a. Existing use and occupancy _____
 - b. Intended use and occupancy _____
5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other
Existing Screen Room 10x20
6. Is this a corner lot? No
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
 Number of bedrooms 3 Baths 2 Toilets 2 Heating Plant: Gas ☒ Oil _____
 Electric/Hot Air Hot Air Hot Water _____ # Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost _____ Fee \$50-

PAID
CH # 1245 paid

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Bakewell
Asst. Inspectors: Frank Lisi & Louis Kryshen
New Windsor Town Hall
888 Union Avenue
New Windsor, New York 12553
(845) 863-4616
(845) 863-4888 FAX

Big Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, codes, rules, regulations and ordinances and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Donna M. Verdighese
(Signature of Applicant)

34 Knox Drive
New Windsor, NY 12553
(Address of Applicant)

Donna M. Verdighese
(Owner's Signature)

Same As Above
(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

W

E

Knox Drive

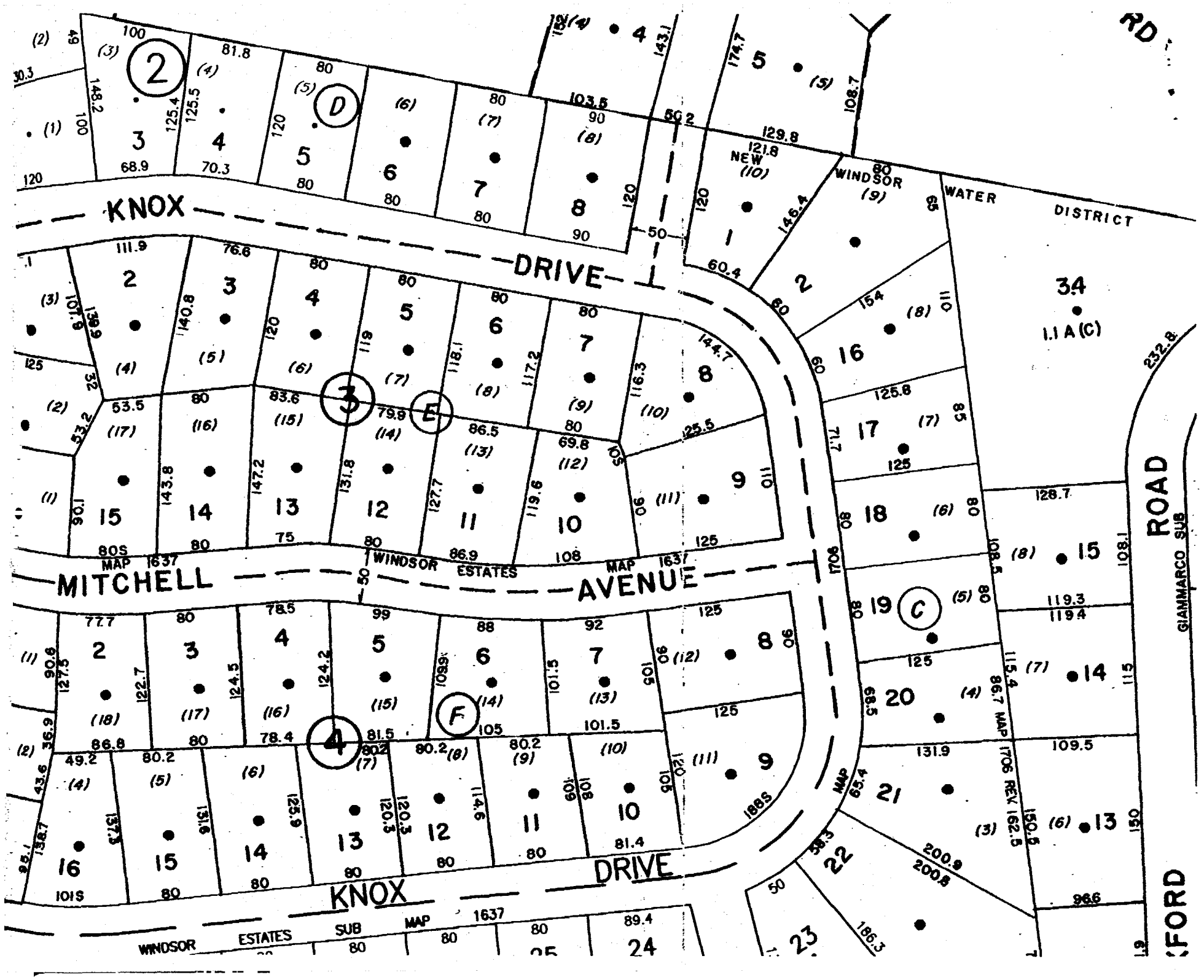
S

15 ft.

19 ft.

15 ft.





NEW WINDSOR ZONING BOARD OF APPEALS

SBL: (6-4-11)

In the Matter of the Application of

**MEMORANDUM OF
DECISION GRANTING**

DONNA VERDIGLIONE

AREA

CASE #(07-50)

WHEREAS, Donna Verdiglione, owner(s) of 34 Knox Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 20 ft. Rear Yard Setback for existing 10 ft. X 20 ft. screen room at 34 Knox Drive in an R-4 Zone

WHEREAS, a public hearing was held on November 5, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
 - (b) The applicant seeks a variance to comply with an existing screened-in room which has been in existence for approximately nine or ten years. During its existence, there have been no complaints, either formal or informal, about the porch.
 - (c) In constructing the porch, the applicants did not remove any trees or substantial vegetation.

- (d) In building the porch, the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (e) In building the porch, the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (f) With the porch, the house will be similar in size and nature to other houses in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

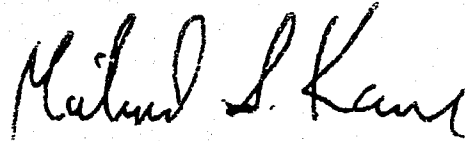
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for 20 ft. Rear Yard Setback for existing 10 ft. X 20 ft. screen room at 34 Knox Drive in

an R-4 Zone (6-4-11) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: November 5, 2007

A handwritten signature in black ink, appearing to read "Michael S. Kaur", is written above a horizontal line.

Chairman

DONNA VERDIGLIONE (07-50)

Mr. and Mrs. Verdiglione appeared before the board for this proposal.

MR. KANE: Request for 20 foot rear yard setback for existing 10 foot by 20 foot screen room at 34 Knox Drive. Same as the preliminary, tell us exactly what you want to do.

MRS. VERDIGLIONE: Well, what we did was we put up a screened-in room but it's like an open patio area, we had the support beams and the whole nine yards but we just, my contractor actually just put up siding halfway up.

MR. KRIEGER: It would probably be easier if you spoke a little louder so the stenographer wouldn't have to strain quite so hard.

MR. KANE: How long has it been in existence?

MRS. VERDIGLIONE: Since Andrea was 2, so--

MR. VERDIGLIONE: At least '98.

MR. KANE: Approximately 9, 10 years. Have there been any complaints about it formally or informally?

MRS. VERDIGLIONE: No.

MR. KANE: In the building of it was there any cutting down of trees or substantial vegetation?

MRS. VERDIGLIONE: No.

MR. KANE: Create any water hazards or runoff?

MRS. VERDIGLIONE: No.

November 5, 2007

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MR. KANE: Any easements in the area where that goes?

MRS. VERDIGLIONE: No.

MR. KANE: At this point, I will open it up to the public and see if there's anybody here for the meeting. Seeing as there's nobody here, we'll close it and bring it back to Myra.

MS. MASON: On October 23, I mailed out 75 envelopes and had no response.

MR. KANE: Any further questions from the board? No further questions, I'll accept a motion.

MS. GANN: I will offer a motion that we grant Donna Verdiglione's variance request for a 20 foot rear yard setback for existing 10 foot by 20 foot screened room.

MS. LOCEY: I'll second that motion.

ROLL CALL

MS. GANN	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn.

MS. GANN: So moved.

MS. LOCEY: Second it.

ROLL CALL

MS. GANN	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE

November 5, 2007

34

MR. KANE

AYE

Respectfully Submitted By:

Frances Roth
Stenographer

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 12-28-07
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 173.34 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-50

NAME & ADDRESS:

**Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

J.F.12-28-07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #07-50 TYPE: AREA TELEPHONE: 565-4204

APPLICANT:

Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>1518</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 1519

~~~~~

| <u>DISBURSEMENTS:</u> | <u>MINUTES</u>       | <u>ATTORNEY</u> |
|-----------------------|----------------------|-----------------|
|                       | <u>\$7.00 / PAGE</u> | <u>FEE</u>      |

|                              |          |       |                 |                 |
|------------------------------|----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>3</u> | PAGES | <u>\$ 21.00</u> | <u>\$ 35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | _____    | PAGES | <u>\$ _____</u> | <u>\$ _____</u> |
| PUBLIC HEARING:              | <u>3</u> | PAGES | <u>\$ 21.00</u> | <u>\$ 35.00</u> |
| PUBLIC HEARING:              | _____    | PAGES | <u>\$ _____</u> | <u>\$ _____</u> |

LEGAL AD: Publish Date: 10-23-07      \$ 14.66

|        |                 |                 |
|--------|-----------------|-----------------|
| TOTAL: | <u>\$ 56.66</u> | <u>\$ 70.00</u> |
|--------|-----------------|-----------------|

~~~~~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 126.66

AMOUNT DUE: \$ _____

REFUND DUE: \$ 173.34

Cc:

J.F. 12-28-07

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

DONNA VERDIGLIONE

**AFFIDAVIT OF
SERVICE
BY MAIL**

#07-50

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 23RD day of **OCTOBER**, 2007, I compared the 75 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

5th day of November, 2007

J. Gallagher
Notary Public

JENNIFER GALLAGHER
Notary Public, State of New York
No. 01GA6050024
Qualified in Orange County
Commission Expires 10/30/ 10



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631

Fax: (845) 563-3101
J. Todd Wiley, IAO
Assessor's Office

September 28, 2007

Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553

Re: 6-4-11 ZBA#07-50 (75)

Dear Ms. Verdiglione:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced parcel.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley (BW)

J. Todd Wiley, IAO
Sole Assessor

JTW/bw
Attachments

CC: Myra Mason, ZBA

6-2-5
Graig & Danielle Pelsue
5 Knox Drive
New Windsor, NY 12553

6-2-6
Joseph Hughes
7 Knox Drive
New Windsor, NY 12553

6-2-7
Allan & Carol Saltzberg
9 Knox Drive
New Windsor, NY 12553

6-2-8
Carlos, Lara & Briselda Hidalgo
11 Knox Drive
New Windsor, NY 12553

6-3-1
Thomas & Kristen Koziak
13 Clarkview Road
New Windsor, NY 12553

6-3-2
Arnold & Beverly Messer
2 Knox Drive
New Windsor, NY 12553

6-3-3
Richard & Suzanne Campora
4 Knox Drive
New Windsor, NY 12553

6-3-4
Daniel Missonellie
6 Knox Drive
New Windsor, NY 12553

6-3-5
Sean Michael Cross &
Amanda Beth Gotz
8 Knox Drive
New Windsor, NY 12553

6-3-6
William Martin &
Evelyn Rothenbusch
10 Knox Drive
New Windsor, NY 12553

6-3-7
Rosa Vasquez
12 Knox Drive
New Windsor, NY 12553

6-3-8
Felicia Minaya
14 Knox Drive
New Windsor, NY 12553

6-3-9
Donald Earl & Bessie Harris
20 Knox Drive
New Windsor, NY 12553

6-3-10
William & Dorothea Brown
11 Mitchell Lane
New Windsor, NY 12553

6-3-11
Lazaro Saurez Villamil
9 Mitchell Lane
New Windsor, NY 12553

6-3-12
Frank & April Mandato
7 Mitchell Lane
New Windsor, NY 12553

6-3-13
Anthony J. Dirago Jr.
5 Mitchell Lane
New Windsor, NY 12553

6-3-14
Alice Reilly
3 Mitchell Lane
New Windsor, NY 12553

6-3-15
Joseph Armisto & Nina Cargain
1 Mitchell Lane
New Windsor, NY 12553

6-3-16
Robert Schulze
17 Clarkview Rd
New Windsor, NY 12553

6-3-17
Kathleen & Dirk DeMar
15 Clarkview Rd
New Windsor, NY 12553

6-4-1
Ismail & Cemaliye Nouri
19 Clarkview Rd
New Windsor, NY 12553

6-4-2
Thomas & Dianna Haverkamp
2 Mitchell Lane
New Windsor, NY 12553

6-4-3
Timothy & Debra Gilchrist
4 Mitchell Lane
New Windsor, NY 12553

6-4-4
Jerold & Dorothy Barao
6 Mitchell Lane
New Windsor, NY 12553

6-4-5
Steven & Jane Albano
8 Mitchell Lane
New Windsor, NY 12553

6-4-6
Patrick & Vicki Kelly
10 Mitchell Lane
New Windsor, NY 12553

6-4-7
John & Luz Camilo-Fisher
12 Mitchell Lane
New Windsor, NY 12553

6-4-8
Ingrid Guerrero
24 Knox Drive
New Windsor, NY 12553

6-4-9
Robert Holl Wilson
28 Knox Drive
New Windsor, NY 12553

6-4-10 Richard & Anna Kenna 32 Knox Drive New Windsor, NY 12553	6-5-3.4 Fred & Jill Brennan-Cook 19 Oxford Rd New Windsor, NY 12553	6-5-20 Crystal Mills 25 Knox Drive New Windsor, NY 12553
6-4-12 Doreen & Michael Casey 36 Knox Drive New Windsor, NY 12553	6-5-11 Vito & Stephanie Cracchiolo 7 Oxford Road New Windsor, NY 12553	6-5-21 Edward & Georgeanne Vornlocher 27 Knox Drive New Windsor, NY 12553
6-4-13 Dorothy Harrison & Roberto Redan 38 Knox Drive New Windsor, NY 12553	6-5-12 Marie Radulski c/o M. Napoleon 9 Oxford Road New Windsor, NY 12553	6-5-22 Michael Prisco 29 Knox Drive New Windsor, NY 12553
6-4-14 James & Frances O'Neil 40 Knox Drive New Windsor, NY 12553	6-5-13 Edward & Patricia Silinski 11 Oxford Road New Windsor, NY 12553	6-5-23 James & Gary Irving 209 So Evergreen Ln Bloomington, IL 61704
6-4-15 Matthew & Corinne Lynch 42 Knox Drive New Windsor, NY 12553	6-5-14 Thomas & Lori Gambill 13 Oxford Road New Windsor, NY 12553	6-5-24 Shirley Hassdenteufel 33 Knox Drive New Windsor, NY 12553
6-4-16 Robin Pickarz & Curtis Worden 44 Knox Drive New Windsor, NY 12553	6-5-15 Jeffrey & Judy Serviss-Orts 15 Oxford Road New Windsor, NY 12553	6-5-25 Paul Thomas Nergelovic 35 Knox Drive New Windsor, NY 12553
6-4-17 Jeremiah & Patricia Quill 23 Clarkview Rd New Windsor, NY 12553	6-5-16 Doloris Gutcheus 17 Knox Drive New Windsor, NY 12553	6-5-26 Christine Smith 37 Knox Drive New Windsor, NY 12553
6-4-18 Nea Sum Chin 21 Clarkview Road New Windsor, NY 12553	6-5-17 Victoria Sustmann 19 Knox Drive New Windsor, NY 12553	6-5-27 Hector Gonzalez & Aurea Pellecier 39 Knox Drive New Windsor, NY 12553
6-5-1 Janet Berryann & David Berryann 13 Knox Drive New Windsor, NY 12553	6-5-18 Clifford & Marianne Paige 21 Knox Drive New Windsor, NY 12553	6-5-28 Richard & Donna Dotson 41 Knox Drive New Windsor, NY 12553
6-5-2 Richard & Maureen Kelly 506 MacNary Rd New Windsor, NY 12553	6-5-19 Allen & Joanne Hoag 23 Knox Drive New Windsor, NY 12553	6-5-29 Harold & Adelaide Willis 43 Knox Drive New Windsor, NY 12553



6-5-30
Cheryl Grainger
45 Knox Drive
New Windsor, NY 12553

6-5-46.32
Roger & Shereen Isaacs-Reynolds
21 Max Place
New Windsor, NY 12553

6-5-31
Thomas & Nancy Bailey
Michele Lawrenson
47 Knox Drive
New Windsor, NY 12553

6-5-46.33
M & S Bakery Inc.
1762 48th Street
Brooklyn, NY 11204

6-5-32
Nancy Sharp
25 Clarkview Rd
New Windsor, NY 12553

6-5-47.2
James Petro
PO Box 928
Vails Gate, NY 12584

6-5-35
Vincent & Mary Ellen Devito
1 President Ct
New Windsor, NY 12553

6-5-49
Rose Raszcewski
540 Union Ave
New Windsor, NY 12553

6-5-36
John Edward & Grace Schultz
3 President Ct
New Windsor, NY 12553

6-5-50 & 6-5-51
John & Maryanne Kochan
PO Box 4627
New Windsor, NY 12553

6-5-37
Kenneth & Maria Maldonado
5 President Ct
New Windsor, NY 12553

6-5-46
Bank of NY as Trustees
c/o Countrywide Home Loans Inc.
7165 Corporate Drive, PTX-C-35
Plano, TX 75024

6-5-46.21 & 6-5-47.1
Todd & Sharon Kelson
42 Lattintown Road
Newburgh, NY 12550

6-5-46.224
Joseph & Sally Ann Alessi
564 Union Ave
New Windsor, NY 12553

6-5-46.31
Torrence & Beverly Robinson
27 Max Place
New Windsor, NY 12553

September 24, 2007

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DONNA VERDIGLIONE (07-50)

MR. KANE: Request for 20 foot rear yard setback for existing 10 foot x 20 foot screen room at 34 Knox Drive.

MS. Donna Verdiglione appeared before the board for this proposal.

MR. KANE: Just speak loudly so that this young lady can hear you and tell us what you want to do.

MS. VERDIGLIONE: We have a pre-existing screened room, I purchased the house in 1988 and when I bought the house there was a 10 foot overhang with supporting beams and footers, we had the area screened in and what our contractor basically is just tacked up siding into the support beams and put screens in.

MR. KANE: And it's been basically in existence since 1988?

MS. VERDIGLIONE: Yes.

MR. KANE: You bought the house like that so some of the questions I ask may not make sense but I've got to ask them anyway. Was there cutting down of any trees, substantial vegetation in the building of this?

MS. VERDIGLIONE: No.

MR. KANE: Creating water hazards or runoff?

MS. VERDIGLIONE: No.

MR. KANE: Any easements running through the area where the screened-in porch is?

MS. VERDIGLIONE: No.

MR. KANE: Have there been any complaints formally or informally about the screened-in deck?

MS. VERDIGLIONE: No.

MR. KANE: Similar in size and nature to other decks or screened-in areas in your neighborhood?

MS. VERDIGLIONE: Yes, basically, the reason why we did it we a child and we did it to provide someplace for her to play and be safe and give her independence.

MR. KANE: Comes in handy.

MS. VERDIGLIONE: We were told, I just want to tell you the contractor did this, told us that we didn't have to get a permit so being first time homeowners we listened to him. Now we know better.

MR. KANE: Not to be disparaging but as long you listen and learn not to listen to contractors. Talk to him.

MS. VERDIGLIONE: We could have done this if we knew we had to get one.

MR. LUNDSTROM: Is it safe to assume there was no building permit on that structure?

MS. VERDIGLIONE: No, there wasn't.

MR. LUNDSTROM: If I may ask the building inspector are the footings sufficient so this could be enclosed in?

MR. BABCOCK: I, actually, I personally was not there so I don't know that.

MR. KANE: If it's passed here then they're still subject to passing inspection by the building department, it's not an automatic in, they have to go out and make their inspection.

MR. LUNDSTROM: The only reason why I ask that there are some porches and decks that are put on where the C.O. said that this shall never be enclosed because the footings are such that they raise and lower and you don't want to build that onto the house because it's going to damage the house.

MR. KANE: Have you had any problems?

M.S. VERDIGLIONE: No, we've been there since my daughter was born, when she was first diagnosed and we've had no problems with all the snow.

MR. LUNDSTROM: If this is approved, do you intend to apply for a building permit to make that legal?

MR. BABCOCK: That's how they got here, they applied for a permit.

MS. VERDIGLIONE: Yes.

MR. KANE: Yeah, that's how you get here is you apply for a permit and you get declined, it's the only way to get here. Any further questions? I'll accept a motion.

MS. LOCEY: I'll offer a motion to schedule a public hearing on the application of Donna Verdiglione for the variances as detailed on the agenda of the September 24, 2007 Zoning Board of Appeals meeting.

MR. TORPEY: I'll second that.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

● TOWN OF NEW WINDSOR ●
REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: 09-25-07 mm

DATE: 09-25-07 PROJECT NUMBER: ZBA# 07-50 P.B. # _____

APPLICANT NAME: DONNA VERDIGLIONE

PERSON TO NOTIFY TO PICK UP LIST:

Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553

TELEPHONE: 565-4204

TAX MAP NUMBER: SEC. 6 BLOCK 4 LOT 11
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 34 KNOX DRIVE
NEW WINDSOR

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1520

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

September 18, 2007

Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #07-50

Dear Ms. Verdiglione:

This letter is to inform you that you have been placed on the September 24th, 2007 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

34 Knox Drive
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

_____ Date Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 565-4204
Donna Verdiglione Fax Number: ()
(Name)
34 Knox Drive, New Windsor, NY 12553
(Address)

II. **Applicant:** Phone Number: (845) 565-4204
Donna Verdiglione Fax Number: ()
(Name)
34 Knox Drive, New Windsor, NY 12553
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
Fax Number: ()
(Name) N/A
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Fax Number: ()
(Name) N/A
(Address)

V. **Property Information:**

Zone: R-4 Property Address in Question: _____
Lot Size: _____ Tax Map Number: Section 6 Block 4 Lot 11
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? _____
c. When was property purchased by present owner? _____
d. Has property been subdivided previously? _____ If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? _____
f. Is there any outside storage at the property now or is any proposed? _____

****PLEASE NOTE:****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	50'	30'	20'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

When I purchased my home in 1988, the roof and supporting columns in the screen room were pre-existing. When my 11 year old daughter was first diagnosed with autism, we decided to enclose it with screens and siding. This was done to provide a safe environment for her to play in independently. It also allows her to have access to fresh air. The 2 screen doors with locks provided the necessary added security so she couldn't wander away.

This structure is in no way obtrusive, is aesthetically appealing, and adds to the value of not only my home but the rest of the homes in our area.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

20th day of August 2007

Donna Verdiglione-Hazan
Owner's Signature (Notarized)

Donna Verdiglione-Hazan
Owner's Name (Please Print)

Signature and Stamp of Notary

DOREEN A. CASEY

Notary Public, State of New York
Qualified in Orange County

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

DOREEN A. CASEY

Notary Public, State of New York
Qualified in Orange County

My Commission Expires November 9, 2010

COMPLETE THIS PAGE ☐

PROJECT I.D. NUMBER

617.21

Appendix C

SEQR

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Donna Verdiglione</i>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>34 Knox Drive New Windsor, NY 12553</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Variance for existing screen room</i>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL/PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Donna Verdiglione-Hazan</i>	Date: <i>8/22/07</i>
Signature: <i>Donna Verdiglione-Hazan</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If No, a negative declaration may be superseded by another involved agency.</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality; surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p style="text-align: center;">No</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p style="text-align: center;">No</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p style="text-align: center;">No</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p style="text-align: center;">No</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p style="text-align: center;">No</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p style="text-align: center;">No</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p> <p style="text-align: center;">No</p>	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (if different from responsible officer)</p>
<p>_____ Date</p>	



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO **"THE TOWN OF NEW WINDSOR"** AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.
3. WHEN YOU COME IN TO PICK UP YOUR LIST, ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL. YOU WILL BE GIVEN ENOUGH "NOTICES OF PUBLIC HEARING" TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.